

1 LOEB & LOEB LLP
MARC S. COHEN (SBN 65486)
2 mscohen@loeb.com
DONALD A. MILLER (SBN 228753)
3 dmiller@loeb.com
STEVEN S. ROSENTHAL (SBN 109739)
4 srosenthal@loeb.com
ALICIA M. CLOUGH (SBN 260012)
5 aclough@loeb.com
MARIAH V. S. VOLK (SBN 323068)
6 mvolk@loeb.com
10100 Santa Monica Blvd., Suite 2200
7 Los Angeles, CA 90067
Telephone: 310.282.2000
8 Facsimile: 310.282.2200

9 Xavier BECERRA
Attorney General of California
10 LISA W. CHAO
Supervising Deputy Attorney General
11 JOHN C. KEITH
Deputy Attorney General
12 State Bar No. 229755
300 South Spring Street, Suite 1702
13 Los Angeles, CA 90013
Telephone: (213) 269-6251
14 Fax: (916) 731-2144
E-mail: John.Keith@doj.ca.gov

15 *Attorneys for the California State Lands Commission*

16 UNITED STATES BANKRUPTCY COURT

17 CENTRAL DISTRICT OF CALIFORNIA

18 NORTHERN DIVISION

19 In re:) Case No.: 9:19-BK-11573-MB
20 HVI CAT CANYON, INC.,) Chapter 11

21 Debtor.) **DECLARATION OF JOSEPH D. FABEL IN**
22) **SUPPORT OF RESPONSE TO REPLY OF THE**
23) **OFFICIAL COMMITTEE OF UNSECURED**
24) **CREDITORS TO:**

25) **(1) CALIFORNIA STATE LAND COMMISSION'S**
26) **LIMITED OBJECTION TO APPLICATION FOR**
27) **ORDER AUTHORIZING AND APPROVING THE**
28) **EMPLOYMENT OF PACHULSKI STANG ZIEHL &**
) **JONES LLP AS COUNSEL FOR THE OFFICIAL**
) **COMMITTEE OF UNSECURED CREDITORS,**
) **EFFECTIVE AS OF AUGUST 16, 2019 [Docket No.**
) **346]; and**

1) **(2) CALIFORNIA STATE LAND COMMISSION'S**
2) **LIMITED OBJECTION TO APPLICATION OF THE**
3) **OFFICIAL COMMITTEE OF UNSECURED**
4) **CREDITORS FOR AUTHORIZATION TO RETAIN**
5) **AND EMPLOY CONWAY MACKENZIE, INC. AS**
6) **FINANCIAL ADVISOR, EFFECTIVE AS OF**
7) **AUGUST 16, 2019 [Docket No. 347]**

8)
9)
10)
11)
12)
13)
14)
15)
16)
17)
18)
19)
20)
21)
22)
23)
24)
25)
26)
27)
28)

Hearing Date: October 28, 2019
Hearing Time: 10:00 a.m.
Place: Courtroom 201
1415 State Street, Courtroom 202
Santa Barbara, CA 93101
Judge: The Honorable Martin R. Barash

DECLARATION OF JOSEPH D. FABEL

I, Joseph D. Fabel, declare as follows:


1. I am an attorney for the California State Lands Commission (the "Commission"). I have personal knowledge of the following facts. If called upon to testify as a witness, I could and would testify competently thereto. Capitalized terms not defined herein shall have the same meaning as ascribed to them in the motion filed concurrently with this declaration.

2. I have been involved in representing the Commission in connection with the bankruptcy case of Rincon Island Limited Partnership ("RILP"), which is currently winding down in the Northern District of Texas Bankruptcy Court, Case No. 16-33174-hdh7). In that case, the Commission's claim is \$78,876,162 (as of May 10, 2018).

3. The Commission has already spent at least \$23 million out-of-pocket undertaking the plug and abandonment work on RILP's wells to avert serious threats to California's coastal environment and protect the health and safety of California's citizens and wildlife.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 21st day of October 2019, at Sacramento, California.



Joseph D. Fabel